

UNITED STATES DISTRICT COURT

District of

Idaho

UNITED STATES OF AMERICA

V.

ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT

Cruz Rubalcava

Defendant

Case Number: CR 02-03-S-EGC

U.S. Courts
Rec'd Filed

OCT 20 2004

Upon motion of the

defendant

Cameron S. Burke
Clerk, Idaho

, it is ORDERED that a

detention hearing is set for

2pm / OCT 28, 2004

Date

Time

before

Chief U.S. Magistrate Judge, Larry M. Boyle

Name of Judicial Officer

at Boise, Idaho, Courtroom #7

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (

) and produced for the

Other Custodial Official

Date: October 20 2004

Larry M. Boyle
Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

United States District Court
for the
District of Idaho
October 22, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 1:02-cr-00003

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Monte J Stiles, Esq. 1-208-334-1413
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Boise, ID 83707

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U.S. Marshal
HAND DELIVERED

Probation
HAND DELIVERED

____ Chief Judge B. Lynn Winmill
____ Judge Edward J. Lodge
____ ☒ Chief Magistrate Judge Larry M. Boyle
____ Magistrate Judge Mikel H. Williams

Visiting Judges:
____ Judge David O. Carter
____ Judge John C. Coughenour
____ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 10-22-04

BY: *AK*
(Deputy Clerk)